



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*50 Main Street – Suite 1100
White Plains, New York 10606*

October 26, 2023

By Email

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

**Re: *United States v. Cleon Clark*, 22 Cr. 0447
Request for Motion Schedule Extension**

Dear Judge Karas,

The Government respectfully requests an extension of the motion schedule deadlines ordered by the Court in the above-referenced matter. On or about September 7, 2023, the Court ordered the parties to submit briefing for suppression motions on the following dates:

- November 7, 2023: Defendant's Suppression Motion
- December 7, 2023: Government's Opposition Briefing
- December 21, 2023: Defendant's Reply

Both the undersigned and defense counsel are scheduled to begin a trial in front of the Honorable Nelson S. Román on December 11, 2023, that is expected to last through at least December 15, 2023. Defense counsel also has informed the Government that he will begin a trial in New York State criminal court in Brooklyn on November 1, 2023. Accordingly, the parties jointly request the following revised motion schedule in this case:

- December 21, 2023: Defendant's Suppression Motion
- January 22, 2024: Government's Opposition Briefing
- February 5, 2024: Defendant's Reply

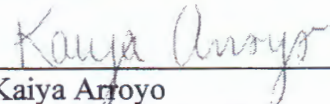
Relatedly, pursuant to 18 U.S.C. § 3161(h), the Government requests an exclusion of time to January 11, 2023, which is the proposed deadline of the defendant's reply brief or, in the alternative, through December 21, 2023, which is the currently set deadline for the defendant's reply. Per a docket entry filed on September 7, 2023, the Court issued an exclusion of time in this matter through November 7, 2023, which is the current deadline for the defendant's initial suppression motion. The Government asserts that the need for the parties to file and respond to the above-referenced motions outweighs the defendant's and the public's interest in speedy trial. The Government has spoken to defense counsel about its request to exclude time and defense counsel does not oppose.

The revised motion briefing schedule is approved. Time is excluded, in the interests of justice, until 12/21/23 to allow counsel enough time to prepare the motion papers in light of a conflicting trial. The interests of justice from this exclusion outweigh the public's and Defendant's interests in a speedy trial. See 18 U.S.C. Section 3161(h)(7)(A).

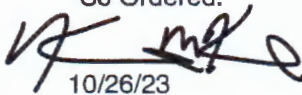
By:

Very truly yours,

DAMIAN WILLIAMS
United States Attorney


Kaiya Arroyo
Assistant United States Attorney
(914) 993-1919

So Ordered.


10/26/23

SO ORDERED:

October __, 2023
White Plains, New York

Honorable Kenneth M. Karas
United States Magistrate Judge